

FREEDOM COURT REPORTING

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1 stayed in Community based services until I
2 retired.

3 Q Okay. And the last position you
4 held when you retired was?

5 A Was the Director of Region III
6 Community Services.

7 Q And explain to me the area that
8 Region III encompasses?

9 A Ten counties in southwest
10 Alabama.

11 Q And where was your office
12 located, your main office?

13 A The last office when I retired
14 was located over at the Poundstone facility
15 in Daphne where I believe the office is
16 still located.

17 Q And who was your immediate
18 supervisor?

19 A Fordyce Mitchell.

20 Q And he is in Montgomery, correct?

21 A Correct.

22 Q And who would be above
23 Mr. Mitchell?

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1 else that would conduct such training to
2 other employees that would be below you?

3 A Well, it seemed to me that there
4 were like general classes that were held at
5 different sites where everybody was invited.

6 Q Invited or required to attend, I
7 mean is that a difference? Is that --

8 A I couldn't answer you honestly
9 about that. I just recall people being --
10 signing off on things that they had been
11 through training --

12 Q Okay.

13 A -- or provided information.

14 Q Let me ask you if you remember
15 when you first met Ms. Blackledge?

16 A I can't remember our first
17 meeting, other than it was a long time ago.

18 Q I believe she had started
19 sometime around 1987?

20 MS. BLACKLEDGE: Correct.

21 Q You were employed?

22 A I would have been there.

23 Q Okay. Would you over the time

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1 you had supervised Ms. Blackledge, would you
2 generally say she was a good employee?

3 A I say basically a good employee.

4 Q Would you say she was productive?

5 A You'd have to be much more
6 specific about a particular task or
7 function.

8 Q Okay. And I will. I will get
9 more specific. Did you ever have any
10 general problems with her work?

11 A I'm sorry to be slow in
12 answering. I'm just trying hard to think of
13 specifics, and I don't -- I don't have
14 specifics that come to mind.

15 (Whereupon Plaintiff's
16 Exhibit Number 2 was marked and
17 attached to the deposition.)

18 BY MR. WILSON

19 Q Okay. I'm going to mark this as
20 Plaintiff's Exhibit 2 and ask if you've seen
21 this document before. Have you seen that
22 before?

23 A Yes, I believe so.

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1 Q And that's a memo to you from
2 Ms. Blackledge dated July 12, 2002. And it
3 seems to be expressing a couple things: One
4 being that she is stating that she was doing
5 additional job duties, other than what she
6 was responsible for. Do you agree with
7 that?

8 A No.

9 Q Okay. Well, do you agree that's
10 what it's expressing?

11 A I agree that's what it says.

12 Q Okay. And it also, I guess, in
13 paragraph 2 states that she's inquired about
14 being promoted on numerous occasions. Do
15 you recall her inquiring about being
16 promoted?

17 A Yes.

18 Q Was that something that came up
19 often? Was she interested in promotions
20 quite a lot? Did she express interest quite
21 a lot?

22 A Occasionally.

23 Q And, specifically, here she's

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1 Q And do you recall a specific CSS
2 III position coming open sometime in 2003?

3 A I know we had an opening during
4 that time.

5 Q And did you play a role in
6 getting that position opened?

7 A Yes.

8 Q And do you recall when that --
9 when you -- explain to me what your role was
10 in opening a CSS III position in 2003?

11 A As best I can recall, it would
12 have entailed a budget review, a submission
13 of a request through the division of MR and
14 the Personnel Department. They would have
15 actually created the opening and done the
16 announcing. And then there would have been
17 a panel established to review anybody who
18 had applied for the job, and then an
19 announcement of whoever was selected for
20 that position.

21 (Whereupon Plaintiff's
22 Exhibit Number 5 was marked and
23 attached to the deposition.)

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1 considered for the vacant in-house position
2 CSS III," dated October 28th, 2003?

3 A Uh-huh.

4 Q So the documents would indicate,
5 and you said you were not sure --

6 A Yeah.

7 Q -- if you've seen number 10, but
8 the documents would indicate the day after
9 the position was opened, Ms. Blackledge
10 expressed interest in the position?

11 A That appears to be.

12 Q And she expressed interest to you
13 numerous times about promotion, correct?

14 A Correct.

15 Q So it's clear she was interested
16 this particular position, correct?

17 A Yes.

18 Q Let me see 9, yeah, this
19 Plaintiff's Exhibit 9, which appears to be
20 the opening of the CSS III position, that
21 first paragraph listed qualifications, do
22 you know if Ms. Blackledge met those
23 qualifications?

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1 A She would have had a degree in a
2 related human service field.

3 Q So did she meet the
4 qualifications as listed on the document
5 there?

6 A She would have had a degree that
7 fit within this qualification, yes.

8 Q So is the answer she met the
9 qualifications as listed on the document?

10 A Yes.

11 Q She would have been employed with
12 Region III for approximately 16 years, at
13 the time, correct?

14 A Yes.

15 Q Let me just talk about in general
16 when a position comes open, is there always
17 an interview process?

18 A Yes, to my knowledge. I can't
19 think of any time we wouldn't interview
20 people.

21 Q Okay. And is the process
22 generally there's a panel that's formed to
23 interview the applicants?

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1 you give the interview in deciding on a job
2 applicant, I guess? Let me scratch that.

3 I mean, I don't know if you can or not.

4 Can you give me some sort of percentage of
5 what weight you put on the actual interview
6 process?

7 MS. TARVER: Object to the form.

8 A I -- honestly, I don't recall if
9 there's a percentage of value, whatever,
10 placed on that. I know that it is one piece
11 of the thing. There would be experience,
12 there would be educational credentials,
13 there would be the interview process,
14 itself. There would be a whole list of
15 things that would go into the selection.
16 And I don't recall those being broken down
17 in percentages. They may be.

18 Q But you were never told what --
19 "this is a certain percentage"?

20 A If I was, I certainly don't
21 recall that.

22 Q You mentioned three things:
23 Experience, education, and the interview.

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1 What else can you think of that would play a
2 role, or would you say those are the three
3 most important things?

4 MS. TARVER: Object to the form.

5 A Those are the three that come to
6 mind.

7 Q Would you say those are the three
8 most important things?

9 MS. TARVER: Object to the form.

10 A I guess so. That's a yes.

11 Q And in your opinion, is the
12 interview process a subjective process?

13 MS. TARVER: Object to the form.

14 A I think they try to make it as
15 objective as possible by having a set
16 interview format and by making sure every
17 applicant is asked the same things. In
18 other words, you can't go off in some
19 different direction with a different
20 applicant. Every single person has to be
21 able to respond to the same questions and so
22 on.

23 Q But your view of the applicant

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1 Q Did she come from Montgomery?

2 A Yes.

3 Q Was she out of Montgomery?

4 A Yes. Yes, I think so.

5 Q Is she white?

6 A I think so. I hate to sound iffy
7 about that, but I can't pull up a visual.

8 Q Do you know her?

9 A I know I've talked to her in the
10 past, but it's not like somebody I worked
11 with on a day-in and day-out basis, so it's
12 not a personal knowledge.

13 Q Let's say when you did do the
14 interview panel, were all the panel sitting
15 there together?

16 A We were all in the same room,
17 yes.

18 Q So you've seen her before?

19 A Yes, I saw her at least that
20 time.

21 Q Hugh Wicks, do you know what his
22 position was?

23 A I know he was from one of the

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1 Community Service offices.

2 Q Outside of Region III?

3 A Correct.

4 Q And do you know if he was white?

5 A Yes, because I had worked with

6 him. I knew him.

7 Q And then Susan Stuardi, that

8 would be you?

9 A Uh-huh.

10 Q And, to my knowledge, you would

11 be white?

12 A Correct.

13 Q And then Ms. Jerryln London was

14 also on the panel, and Ms. London is black,

15 correct?

16 A Yes.

17 Q And from information I have, the

18 people that were interviewed, Mildred Mickey

19 Groggel, Allen. Do you know Allen? Who is

20 Allen? Kathi Allen?

21 A Uh-huh.

22 Q Celestine Chappell, Melissa Ezell

23 Ms. Winifred Blackledge, Sheritta Williams,

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1 A Turned in -- I turned in some
2 kind of a sheet, a document.

3 (Whereupon Plaintiff's
4 Exhibit Number 12 was marked and
5 attached to the deposition.)

6 BY MR. WILSON

7 Q I'll mark this as Plaintiff's
8 Exhibit 12 and ask you if you've seen this
9 document before, Bates stamped 0391?

10 A Yeah.

11 Q You've seen it before?

12 A It looks like -- it looks like a
13 listing of the interview candidates.

14 Q Looks like a listing of all the
15 candidates that applied for the position,
16 correct?

17 A That's what it looks like, yeah.

18 Q And there's handwritten notes
19 marked on this, correct?

20 A That's correct.

21 Q And is any of this handwriting
22 yours?

23 A Yes.

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1 Q Is the handwriting at the top
2 yours?

3 A Yes. "Consider applicants in
4 psychology or special education."

5 Q Okay. There's handwriting to the
6 left of the numbers, says "no" next to a
7 couple people. Is that your handwriting?

8 A Yes.

9 Q And to the right there's
10 handwriting saying "no masters, no
11 substitution allowed;" is that your
12 handwriting?

13 A No.

14 Q So we've got two different people
15 writing on this?

16 A Yes.

17 Q What about the bottom eight
18 candidates for interview, that's not your
19 handwriting?

20 A No.

21 Q Do you know whose handwriting
22 that is?

23 A No.

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1 Q And care to guess?

2 MS. TARVER: Object to the form.

3 A I don't know.

4 Q Okay. Now, you've marked "no"
5 next to four people's names. Why did you do
6 that?

7 A I guess I would tie that together
8 with the top statement about where the
9 degree came, what kind of degree they had.
10 And it would appear to me that's saying
11 these people don't have a degree in
12 psychology or special education. That's
13 what it looks like to me.

14 Q To your knowledge, James Packer
15 did not have that degree?

16 A As best I recall now. That would
17 have been the rational at the time.

18 Q Now, Ms. Blackledge did have a
19 masters, correct?

20 A But not in psychology or special
21 education.

22 Q But she had one in a similar
23 field that would qualify for this, correct?

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1 A Only in the most general sense.

2 In other words, if what you're after is
3 somebody whose background is in testing,
4 assessment, and so on, what your reference
5 is to find somebody with a background in
6 psychology or special education.

7 Q And the four people's names
8 marked out with no next to them, they're all
9 black employees, correct?

10 A Yeah, they are.

11 Q The person selected for this
12 position was Mickey Groggel, correct?

13 A Yes.

14 Q And Mickey was a white employee
15 that came from the Brewer Center, correct?

16 A Correct.

17 Q Do you know what her job title at
18 the Brewer Center was, at that time?

19 A I can't remember what their
20 classifications were. She was a department
21 head over both residential and day program
22 services.

23

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1 earlier.

2 A Yeah. And I think that's true.

3 And I think that's true, but I'm not a
4 hundred percent sure.

5 Q This document is -- appears to be
6 a letter from Henry Ervin letting Mickey
7 Groggel know she's been appointed to a
8 Planning and Quality Assurance Specialist II
9 position effective April 17th, 2004,
10 correct?

11 A Yes, that's what it says.

12 Q And from what we know about
13 Mickey earlier, we know she was given the
14 CSS III position back in late '03 and they
15 did -- she wasn't going to start that
16 position until March of '04, correct? I'm
17 going back.

18 A Find the thing. No, that's the
19 announcement letter.

20 MS. TARVER: Let him look at it.

21 A You find what you want.

22 Q Okay. Here we go. From

23 Plaintiff's Exhibit 13, this was a letter to

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1 Henry Ervin from you saying Mickey was going
2 to start beginning March 6th, 2004?

3 A Yes. Okay.

4 Q But then by April 17th, she was
5 promoted to the Planning and Quality
6 Assurance specialist II position, correct?

7 A Yes. That's what the other
8 letter says.

9 Q Did she work at the CSS III
10 position for this month or this six week
11 period, that you're aware of?

12 A I honestly don't know. With the
13 confusion of those particular times and all
14 the movement of personnel one place and
15 another. I know she started doing some
16 things from that office to help us, but I
17 really couldn't tell you. And what this
18 would also do is tell you that would be the
19 date she went on the payroll in Community
20 Service, on March 6th.

21 Q Did you play any role in her
22 promotion from CSS III to I'm going to call
23 it PQA II in 2004? You weren't on the

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1 interview panel?

2 A No.

3 Q Did you have any discussions with
4 anybody about that promotion?

5 A I don't remember, and I'm not
6 even sure that's a promotion. You know,
7 everybody was applying for everything they
8 could apply for back in those days. The
9 list of names you see there that applied for
10 that III position, you would probably see
11 that same list on numerous position openings
12 at that time, because all those people were
13 facing unemployment.

14 Q So you think a lot of people
15 probably applied for that a Quality
16 Assurance position?

17 A I'm just saying everybody applied
18 for everything they could at that time.

19 Q Would it surprise you if I told
20 you the records show that the only two
21 people that applied for the Planning and
22 Quality Assurance II position were Mickey
23 Groggel and Winifred Blackledge in 2004?

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1 A I was aware of that. I had
2 knowledge of what -- that going on.

3 Q That kind of goes against what
4 you just said, correct?

5 A I really thought everybody was
6 applying for a job just because they were
7 about to lose whatever they had.

8 Q Did you ever do any performance
9 appraisals on Mickey Groggel, that you're
10 aware of?

11 A It's possible, because at one
12 point when I was Facility Director, I was
13 her supervisor.

14 Q And do you remember doing some on
15 Winifred Blackledge, also?

16 A Yes.

17 Q Performance appraisals, are they
18 done twice a year, is that right?

19 A Formal -- a formal appraisal is
20 done once a year. There's an interim
21 process that is somewhat different than a
22 formal appraisal that goes on mid-year, or
23 did at that time.

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1 much, it's clearly the panel's subjective
2 thoughts on what the grades were, correct?

3 MS. TARVER: Object to the form.

4 A I can't answer whether or not
5 it's their subjective thoughts or how
6 objective the criteria were at that time.

7 Q But for you to grade
8 Ms. Blackledge with a 17 and for Ms. London
9 to grade her with a 30 --

10 A We, obviously, had a difference
11 of view.

12 Q A difference of opinion?

13 A Okay.

14 Q Different view. Your subjective
15 belief was that one candidate was better
16 than the other, correct?

17 MS. TARVER: Object to the form.

18 A Okay.

19 Q You can answer. Is that yes?

20 A Yes.

21 Q We have seven candidates on this
22 list: Three white candidates and four black
23 candidates. You graded the three candidates

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1 much, it's clearly the panel's subjective
2 thoughts on what the grades were, correct?

3 MS. TARVER: Object to the form.

4 A I can't answer whether or not
5 it's their subjective thoughts or how
6 objective the criteria were at that time.

7 Q But for you to grade
8 Ms. Blackledge with a 17 and for Ms. London
9 to grade her with a 30 --

10 A We, obviously, had a difference
11 of view.

12 Q A difference of opinion?

13 A Okay.

14 Q Different view. Your subjective
15 belief was that one candidate was better
16 than the other, correct?

17 MS. TARVER: Object to the form.

18 A Okay.

19 Q You can answer. Is that yes?

20 A Yes.

21 Q We have seven candidates on this
22 list: Three white candidates and four black
23 candidates. You graded the three candidates

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1 the highest and the four black candidates
2 the lowest, correct?

3 A Correct.

4 Q Is it possible that any
5 subjective bias played a role in your
6 decision?

7 MS. TARVER: Object to the form.

8 A No.

9 Q Do you find it odd that you
10 graded the four black employees the lowest
11 compared to the white employees?

12 A No, not when you know everybody.

13 Q Do you want a break or anything?

14 A No.

15 (Whereupon Plaintiff's
16 Exhibit Number 16 was marked and
17 attached to the deposition.)

18 BY MR. WILSON

19 Q I'll take one here shortly. I'm
20 going to enter as Plaintiff's Exhibit 16.
21 This is a stack of looks like about 30
22 pages.

23 MS. TARVER: All this is one

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1 orientation so that she would become
2 familiar with our operation.

3 Q Okay. So let me -- I understand
4 what you're saying, but let me go back. Do
5 you recall one way or the other whether
6 Ms. Blackledge was told by you to train
7 Ms. Rosalis for that position?

8 A I do not recall that. I recall
9 asking her and each of the other staff who
10 had a role to play, to give her orientation
11 to whatever they were doing and whatever
12 programs they were working with.

13 Q So you wouldn't deny that
14 Ms. Blackledge says that you -- she was told
15 to train Daphne by you?

16 MS. TARVER: Object to the form.

17 A I don't ever remember using the
18 word training, but then again, I don't
19 remember that well from that many years
20 back. But the word I do recall for
21 everybody is orientation.

22 Q Do you remember ever having any
23 problems with Ms. Blackledge's job

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1 performance?

2 A I can't think of any specific
3 problem.

4 Q Did you ever give her any form of
5 discipline or anything?

6 A I can't recall any occasion of
7 discipline.

8 Q Do you recall her having any
9 problems with attendance?

10 A I don't recall any problems with
11 attendance.

12 Q Any problems with tardiness?

13 A No, don't recall that.

14 Q Do you think she worked hard?

15 A I think she was very good at
16 specific assignments that she was given.

17 Q Were you aware that she had filed
18 a desk audit on the position,
19 Ms. Blackledge?

20 A On?

21 Q Her --

22 A On this -- on which, this -- this
23 CSS III position?

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1 Q Do you recall Ms. Blackledge
2 filing an internal complaint about her job
3 duties?

4 A I remember her probably writing
5 and perhaps talking to me on more than one
6 occasion about her job duties and about, you
7 know, wanting find a way to get a promotion.

8 Q Do you have an opinion one way or
9 the other why she wasn't promoted?

10 A There's availability of jobs for
11 one thing. There's changing -- changing
12 responsibilities for Community Services for
13 another, there's caps that are put on
14 hiring. There are just a number of factors
15 that go into whether you're able to make any
16 kind of personnel changes at any given time.

17 (Whereupon Plaintiff's
18 Exhibit Number 17 was marked and
19 attached to the deposition.)

20 BY MR. WILSON

21 Q I was asking you about an
22 internal complaint that Ms. Blackledge made
23 about her job responsibilities. I'm going

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1 to mark this as Plaintiff's Exhibit 17,
2 Defendant's Exhibit 10 from yesterday, Bates
3 stamped 3728. Does this refresh your
4 recollection about that internal complaint?

5 A Yes.

6 Q Do you recall making --

7 A Is this dated?

8 Q What is it dated?

9 A '03. December of '03.

10 Q Is there an actual date,
11 December?

12 A Yeah, date it was submitted.

13 Q December 15th 2003?

14 A Uh-huh.

15 Q This was around the same
16 time where Mickey Groggle --

17 A Yes.

18 Q Let me finish. This was around
19 the same time Mickey Groggle was given the
20 CSS III position, correct?

21 A Uh-huh.

22 Q And do you remember some
23 correspondence back and forth to

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1 Ms. Blackledge about that complaint?

2 A I don't remember it, but there
3 would have been. This would have initiated
4 a response.

5 (Whereupon Plaintiff's
6 Exhibit Number 18 was marked and
7 attached to the deposition.)

8 BY MS. TARVER

9 Q Is this a response that you gave
10 to Ms. Blackledge? Plaintiff's Exhibit 18,
11 Defendant's Exhibit 11 from yesterday.

12 A Okay.

13 Q Is that a response to the
14 internal complaint?

15 A Yes.

16 (Whereupon Plaintiff's
17 Exhibit Number 19 was marked and
18 attached to the deposition.)

19 BY MR. WILSON

20 Q This is Plaintiff's Exhibit 19,
21 Defendant's Exhibit 12 from yesterday.
22 Exhibit 18 was from December 17th and this
23 is dated December 18th, a letter from

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1 been unusual for a position to be taken out
2 of the mix, just taken out of the budget.

3 Q So --

4 A I don't know if that happened but
5 that could happen.

6 Q Okay. So a position that you
7 spent approximately a year to try to open
8 this CSS III position, approximately a year,
9 sometime late '02 until it was -- until
10 Ms. Groggel received the position in late
11 '03, that position could just disappear
12 after two months?

13 A It could have been pulled, it
14 could have been transferred to another part
15 of the state that needed it, it could have
16 been unbudgeted. A number of things can
17 happen to a vacant position to cause it to
18 exist. I don't know if that happened, but
19 that -- that is not unusual for that to
20 happen.

21 Q And if that's the case, when a
22 position just disappears, do you try to find
23 another position for that employee?

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1 A The positions are not usually for
2 an employee, it's for a function. In other
3 words, it's like -- let me give you an
4 example. We were talking about the
5 reallocation to try to get Winifred
6 reclassified, if that had happened, whatever
7 she went from would have ceased to exist.
8 You would lose a position by doing that.

9 So positions, you know, can be utilized
10 different places for different things and
11 moved around the state. So I, personally,
12 don't recall what happened to that CSS III
13 position.

14 Q Do you recall anybody being in
15 that CSS III position after it was vacated
16 by Ms. Groggel?

17 A I don't.

18 Q Did you try to help Ms. Groggel
19 get another position sometime around this
20 time period in April or early 2004?

21 A Ms. Groggel?

22 Q Yes.

23 A I don't remember doing that, but

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1 I remember actually trying to help every one
2 of those people on that list find something.

3 (Whereupon Plaintiff's
4 Exhibit Number 23 was marked and
5 attached to the deposition.)

6 Q And this is Plaintiff's Exhibit
7 23, Defendant's Exhibit 7 from yesterday,
8 Bates stamped 1491. I'm just trying to get
9 some type of day order here. This is
10 April 15th, 2004, an interview assessment
11 for a Planning and Quality Assurance
12 Specialist II position. There were two
13 applicants: Ms. Groggel and Ms. Blackledge.
14 Do you remember that position being opened
15 at this time period?

16 MS. TARVER: Object to the form.

17 A I honestly -- I truly don't
18 remember it.

19 (Whereupon Plaintiff's
20 Exhibit Number 24 was marked and
21 attached to the deposition.)

22 BY MR. WILSON

23 Q This was Plaintiff's Exhibit 8

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1 I remember actually trying to help every one
2 of those people on that list find something.

3 (Whereupon Plaintiff's

4 Exhibit Number 23 was marked and
5 attached to the deposition.)

6 Q And this is Plaintiff's Exhibit
7 23, Defendant's Exhibit 7 from yesterday,
8 Bates stamped 1491. I'm just trying to get
9 some type of day order here. This is
10 April 15th, 2004, an interview assessment
11 for a Planning and Quality Assurance
12 Specialist II position. There were two
13 applicants: Ms. Groggel and Ms. Blackledge.
14 Do you remember that position being opened
15 at this time period?

16 MS. TARVER: Object to the form.

17 A I honestly -- I truly don't
18 remember it.

19 (Whereupon Plaintiff's

20 Exhibit Number 24 was marked and
21 attached to the deposition.)

22 BY MR. WILSON

23 Q This was Plaintiff's Exhibit 8

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1 from yesterday and Plaintiff's Exhibit 24
2 today. This is dated February 20th, 2004.
3 A letter to Fordyce Mitchell and Henry Ervin
4 from Susan Stuardi. My question first of
5 all, do you remember drafting this document.

6 A Yes. Uh-huh.

7 Q Why did you draft that document?

8 A I can't remember why I was aware,
9 but I do know that there was a possibility
10 of that CSS III being vacated and the second
11 person -- the second person on our interview
12 list, if it hadn't been too long, they could
13 go back to the last round for the CSS III
14 and see whether they could move anybody into
15 it. And, like I said, another person who
16 was getting ready to lose their job, because
17 they were being phased out.

18 Q Okay. And who is the person
19 you're talking about was about to lose their
20 job?

21 A That would have been Kathi Allen
22 who was being phased out as Brewer closed.

23 Q So you knew Kathi Allen's

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1 position was about to be closed and you
2 wanted to help her find a new position?

3 A Sure.

4 Q And you also knew Mickey Groggel
5 was about to vacate that CSS III position,
6 correct?

7 A Obviously, I had heard about
8 that.

9 Q And what you were just talking
10 about, you could go back and look at
11 something, are you talking about the
12 interview list?

13 A Yes. I was asking whether or not
14 we could go to the second choice on that
15 list and be able to have her move into that
16 position or be reclassified into that
17 position.

18 Q But she wasn't, was she?

19 A No.

20 Q Why is that?

21 A I don't remember exactly what
22 happened. I don't know if she got
23 transferred or they just didn't do anything

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1 in time, the time ran out.

2 Q So is it fair to say you wanted
3 to keep that CSS III position open?

4 A I would like to have done that,
5 yeah.

6 Q And you also knew that
7 Ms. Blackledge wanted a CSS III position,
8 correct?

9 A I also knew that Ms. Blackledge
10 wasn't at risk of losing her job right away.

11 Q I'm sorry, will you answer the
12 question.

13 A Yes.

14 Q You also knew that Ms. Blackledge
15 was interested in the CSS III position,
16 correct?

17 A Yes.

18 Q And you also testified earlier
19 that you thought Ms. Blackledge was
20 qualified to do the job, correct?

21 A I said she could learn to do the
22 job.

23 Q Okay. And you wanted to help

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1 after the fact, but I don't know -- I don't
2 know that that was a factor in her decision
3 to leave. I think she may have been forced
4 to transfer and couldn't. You know, there
5 were a number of people who were given only
6 one choice, to transfer to Tuscaloosa or
7 you're out of a job, and there were just a
8 lot who couldn't do that?

9 Q Did you discuss with Kathi Allen,
10 the possibility of moving to the CSS III
11 position?

12 A I don't remember talking to her
13 about it.

14 (Whereupon, Defendant's
15 Exhibit Numbers 25, 26, 27, 28,
16 and 29 were marked and attached
17 to the deposition.)

18 BY MR. WILSON

19 Q Real quick, I'm just going to
20 introduce these. Plaintiff's Exhibit 25,
21 26, 27, 28 and 29, these are five
22 performance appraisals it looks like you
23 signed off on for Ms. Blackledge. Exhibit

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1 25 is for the year 2000. Looks like you
2 gave her a 36.2, which exceeds standards, is
3 that correct?

4 A Yes.

5 Q And is that what that is, a
6 performance appraisal --

7 A Yes.

8 Q -- that you signed off on
9 Ms. Blackledge?

10 A Yes, uh-huh.

11 Q This is the same for looks like
12 2001, Plaintiff's Exhibit 26. She had a
13 score of 36.2 is that correct?

14 A Yes.

15 Q And for the year 2002, looks like
16 the same thing with the same score, is that
17 correct?

18 A Yes.

19 Q And for the year 2002, same
20 score, is that correct?

21 A Yes.

22 Q And, finally, the last one that I
23 have from 2003 -- for the year 2003,

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1 Plaintiff's Exhibit 29, the same score,
2 36.2, correct?

3 A Uh-huh.

4 Q And that probably would have been
5 the last one you did since you left that
6 year in '04?

7 A Right.

8 Q So Ms. Blackledge, all the
9 performance appraisals that we know of that
10 you did on her exceeded standards, correct?

11 A Correct.

12 Q No performance appraisals were
13 below standards at all, correct?

14 A That is correct.

15 Q Is 36.2 a good score? Yes?

16 A Yes. That's a fine score.

17 Q And were you aware of
18 Ms. Blackledge filing an EEOC charge while
19 you were employed with the department?

20 A I'm not sure. I honestly am not.
21 You brought back to my mind the other things
22 that we did with trying to get her
23 reclassification, desk audit, and so on, but